

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

UNITED STATES OF AMERICA,

VS.

CRIMINAL ACTION NO. 2:04CR178-P-B

**BRIAN DAVIDSON, STEVEN
COLE, AND STEPHANIE ROMINE,**

DEFENDANTS.

ORDER CONTINUING TRIAL

This matter comes before the court upon Defendant Brian Davidson's July 26, 2005 Motion for Continuance. Upon due consideration of the motion, the court finds as follows, to-wit:

Trial is currently set for August 29, 2005. Defense counsel for Davidson avers that he has a previously scheduled case set for trial on August 29, 2005 and that Davidson had indicated that it is his intention to go to trial. The Government has no objection to a continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(8)(A), the period of delay from June 27, 2005 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford the Davidson's counsel more time to adequately prepare for his client's defense. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS THEREFORE ORDERED AND ADJUDGED that:

(1) Defendant Brian Davidson's July 26, 2005 Motion for Continuance is hereby
GRANTED;

- (2) Trial of this matter for all three defendants is continued until Monday, September 26, 2005 at 9:00 a.m. in the United States Courthouse in Greenville, Mississippi;
- (3) The delay from August 29, 2005 to September 26, 2005 is excluded as set out above;
- (4) The deadline for filing pretrial motions is September 5, 2005; and
- (5) The deadline for submitting a plea agreement is September 12, 2005.

SO ORDERED, this 25th day of July, A.D., 2005.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE